



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street
San Francisco, CA 94105-3901

December 14, 2007

Melanie Brent
Office of Environmental Analysis
Caltrans District 4
111 Grand Avenue
P.O. Box 23660
Oakland, CA 94623-0660

Subject: Draft Environmental Impact Statement/Environmental Impact Report for the
Marin-Sonoma Narrows HOV Widening Project, Marin and Sonoma Counties,
California (CEQ # 20070447)

Dear Ms. Brent:

The U.S. Environmental Protection Agency (EPA) has reviewed the above-referenced document pursuant to the National Environmental Policy Act (NEPA), Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500-1508) and Section 309 of the Clean Air Act. EPA has previously provided feedback on this project through the *National Environmental Policy Act/Clean Water Act Section 404 Integration Process Memorandum of Understanding, 2006* (NEPA/404 MOU). Based on our review, we have rated the Draft Environmental Impact Statement (DEIS) for the proposed project as Environmental Concerns – Adequate Information (EC-1). Please see the enclosed "Summary of EPA Ratings."

We note that the DEIS provides a thorough and user-friendly description of the project and its environmental impacts. We commend Caltrans on avoiding and minimizing impacts to wetlands and other resources through the alternative development process. However, we encourage further efforts to avoid and minimize potential adverse impacts, to the greatest extent practicable, to sensitive biological, farmland, community, and cultural resources through the remaining planning and design process and future construction. Specifically, any project design modifications that would further avoid existing trees and result in fewer impacts to wetlands should be identified in the Final EIS.

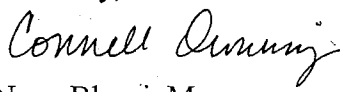
While the impacts projected for the two build alternatives do not differ significantly, EPA believes that the Fixed HOV Lane Alternative would best meet the purpose and need of the project. Traffic projections for 2010 indicate bottlenecks and delays in the southbound direction during both AM and PM peak periods, and 2030 projections indicate bottlenecks and delays in both directions during both peak periods. Therefore, having HOV lanes

available in both directions during both peak periods would be prudent. The fixed HOV lanes would also be available to mixed flow traffic during off-peak periods, providing more efficient movement of vehicles throughout the day. In choosing between the four access options, and as more detailed information on amounts of impacts becomes available, we encourage Caltrans to choose the option that will minimize impacts to wetlands and other environmental resources.

EPA is also supportive of the inclusion of bicycle and pedestrian infrastructure in the project, as it is consistent with various transportation plans for the area. In addition, encouraging alternative transportation options to automobiles will lessen the impacts to air quality and other resources from automobile use.

We appreciate the opportunity to review this DEIS and look forward to future coordination on the project. The next steps in the NEPA/404 MOU process are agreement on the Least Environmentally Damaging Practicable Alternative (LEDPA), the only alternative that is permissible pursuant to the Clean Water Act (CWA) Section 404(b)(1) Guidelines, and 2) the conceptual mitigation plan. When the Final EIS is released for public review, please send two copies to the address above (mail code: CED-2). If you have any questions, please contact Michael Monroe of EPA's Wetlands Regulatory Office at 415-972-3453 or monroe.michael@epa.gov, or Carolyn Mulvihill of my staff at 415-947-3554 or mulvihill.carolyn@epa.gov.

Sincerely,

For 
Nova Blazej, Manager
Environmental Review Office

Enclosure:
Summary of EPA Rating Definitions

cc. Cesar Perez, Federal Highway Administration
Joyce Ambrosius, NOAA Fisheries
Jane M. Hicks, U.S. Army Corps of Engineers
Ryan Olah, U.S. Fish and Wildlife Service
Brendan Thompson, Regional Water Quality Control Board

SUMMARY OF EPA RATING DEFINITIONS

This rating system was developed as a means to summarize EPA's level of concern with a proposed action. The ratings are a combination of alphabetical categories for evaluation of the environmental impacts of the proposal and numerical categories for evaluation of the adequacy of the EIS.

ENVIRONMENTAL IMPACT OF THE ACTION

"LO" (Lack of Objections)

The EPA review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

"EC" (Environmental Concerns)

The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce the environmental impact. EPA would like to work with the lead agency to reduce these impacts.

"EO" (Environmental Objections)

The EPA review has identified significant environmental impacts that must be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

"EU" (Environmentally Unsatisfactory)

The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potentially unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the CEQ.

ADEQUACY OF THE IMPACT STATEMENT

Category 1" (Adequate)

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis or data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

"Category 2" (Insufficient Information)

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analysed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses, or discussion should be included in the final EIS.

"Category 3" (Inadequate)

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analysed in the draft EIS, which should be analysed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the NEPA and/or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

*From EPA Manual 1640, "Policy and Procedures for the Review of Federal Actions Impacting the Environment."

